MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Nicole Mardell, Associate Planner

DATE: September 5, 2019

SUBJECT: Model Flood Amendments (247-19-000530-TA / 533-PA) – Continued Public Hearing

The Deschutes County Planning Commission held a public hearing on August 8, 2019. As there was extensive public testimony provided, the Commission chose to continue both the oral and written components of the public hearing until September 12, 2019.

I. PROPOSAL

Deschutes County, through File Nos. 247-19-000530-TA / 533-PA, is amending the Deschutes County Zoning Ordinance and Comprehensive Plan to incorporate text from the Department of Land Conservation and Development (DLCD)'s 2014 Oregon Model Flood Damage Prevention Ordinance referred to hereafter as “DLCD's Model Flood Ordinance”.

These amendments are solely focused on amendments to the Deschutes County Code (DCC) and Comprehensive Plan that incorporate language from DLCD's Model Flood Ordinance. The Model Flood Ordinance is a statewide standard and includes requirements for critical facilities, accessory structures, and storage in the Flood Plain Zone, among other items. Staff is proposing these amendments to ensure consistency among local land use approvals and state requirements and to promote best practices in hazard mitigation. Extensive background is provided in the July 25, 2019 work session packet¹ and on the project website: https://www.deschutes.org/cd/page/flood-plain-information-and-text-amendments.

II. PUBLIC COMMENTS

Staff received written comments from the following individuals as of 10 am on September 5, 2019 (Attachment). Many of the comments received were generally opposed to any amendments involving the Flood Plain Zone due to impacts to wildlife from additional development near sensitive riparian areas. One comment from DLCD Natural Hazards Planner Katherine Daniels requested minor text changes to the model language proposed.

¹http://deschutescountyor.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=2126&Inline=True
Oregon Department of Fish and Wildlife (ODFW) suggested edits to the Flood Plain purpose statement in the Comprehensive Plan in order to ensure the role as a Goal 5 inventoried resource and protection measure is not diminished.

- Alvarado
- Benson
- Brewer
- Caram
- Castelbaum
- Central Oregon Land Watch
- DLCD – Daniels
- DCLD – Punton
- Elshoff
- Emerson/Brayfield
- Frank
- Gould
- Harris
- Kassy
- Kruse
- McKay
- Monte
- ODFW - Vaughn
- Pederson
- Pokorny
- Quinlan
- Resto-Spotts
- Storm
- Warriner

III. NEXT STEPS
The public hearing to take testimony on the proposed amendments will be held on Thursday, September 12, 2019 at 5:30 pm, in the Barnes and Sawyer Room, 1300 NW Wall Street, Bend, OR. At the conclusion of the public hearing, the Planning Commission can:

1) Continue the hearing to a date certain;
2) Close the hearing and leave the written record open to a date certain; or
3) Close the hearing, and commence deliberations.

ATTACHMENT
Public Comments – General Comments and Comments Specific to 247-19-000530-TA / 533-PA